

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, MARCH 28, 2005

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Kreider, Raser, Senhauser, Spraul-Schmidt and Wallace present. Absent: Chatterjee, Kirk, and Sullebarger.

CERTIFICATE OF APPROPRIATENESS, 514 TUSCULUM AVENUE, COLUMBIA TUSCULUM HISTORIC DISTRICT

Staff member Adrienne Cowden presented a report on a Certificate of Appropriateness to construct a new Allan Block (Europa collection, Dover units) retaining wall at 514 Tusculum Avenue. An existing stone retaining wall collapsed several weeks prior. Ms. Cowden stated that although the specific guidelines for retaining walls call for stone or stone-faced walls, the general guidelines permit missing or severely deteriorated materials to be replaced with new materials that match the general character of the original in scale, texture, design and composition. Staff believes the Allan Block proposed approximated the appearance of the original stone wall.

BOARD ACTION

The Board voted unanimously (motion by Raser, second Spraul-Schmidt) to approve a Certificate of Appropriateness for the proposed retaining wall at 514 Tusculum Avenue with the condition that final drawings and specifications be submitted to the Urban Conservator for review and approval prior to construction.

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, FOR 1425 MAIN STREET, OVER-THE-RHINE HISTORIC DISTRICT

Staff member Caroline Kellam presented a report on a Certificate of Appropriateness for an 8' high wood picket fence for the rear of the property at 1425 Main Street and a variance for the height of the fence, which has been already constructed.

The property owner, Peter Chabris of Richardson Holdings, LLC, replaced the deteriorated fence with an 8' tall flat board fence of the same height, as the previous fence. He said the additional height was necessary for security reasons and staff agreed.

BOARD ACTION

The Board voted unanimously (motion Raser, second Wallace) to take the following actions:

1. Grant a zoning variance from Section 1421-33. Fences and Walls of the Zoning Code to allow a variance of 2' for an 8' fence at the rear of the property finding that such relief from the literal implication of the Zoning Code will not be materially detrimental to the public health, safety, and welfare or injurious to property in the district or vicinity where the property is located and
 - a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.
2. Approve a Certificate of Appropriateness for the construction of an 8' flat board wood picket fence at the rear of the property with the condition that the fence be stained or painted.

**CERTIFICATE OF APPROPRIATENESS, HILLSIDE REVIEW AND ZONING
VARIANCE FOR 207 MULBERRY STREET, OVER-THE-RHINE HISTORIC
DISTRICT**

Staff member Caroline Kellam presented a report for a Certificate of Appropriateness and Zoning Variances for 207 Mulberry Street. The work involves the renovation of a vacant three-family house and the construction of a new addition and a three-level rear deck. The building contributes to the Over-the-Rhine Historic District and is located in an RM-07 (Residential Multi-family) and Hillside Overlay District.

There were several alterations made to the building over the years including the addition of a third floor and the removal of the original cornice. The applicant proposes to raise the front brick wall approximately 4' to create a 10'-0" ceiling and modify the fenestration on the upper level. Staff recommended that the applicant revise the front elevation by eliminating wall panels and fenestration at the third floor level.

Extending the roofline required a zoning variance for the height of the front and rear walls. The proposed deck requires a variance for the rear yard setback. Staff stated that provided the recommended design changes are made, the applicant should be given relief from the Zoning Code requirements.

Sean Keith was present to answer questions from the Board. In response to the question from Mr. Raser, Mr. Keith stated that pressure treated wood would be used for the rails and the cornice would be wood.

Mr. Senhauser expressed concern about the materials and raising the roofline. The Board has approved raising a roof to create a usable space in the past, but in this case, Mr. Senhauser was uncertain that raising the roof and adding vinyl siding would benefit the building. The Board agreed that stucco would be more appropriate than vinyl siding for the side wall.

Mr. Raiser asked the applicant several additional questions concerning the work, including windows types. Mr. Keith stated that the windows in front of the stairs would be double hung; those over the countertop would be casement.

Mr. Kreider suggested that the chimney be preserved and capped. The applicant agreed.

BOARD ACTION

The Board voted unanimously (motion Kreider, second Spraul-Schmidt) to take the following actions:

1. Grant the following zoning variances in order to allow the construction of the new addition and decks at the rear elevation:
 - a) As per Section 1433-17 (a) HS Rear Yard Setback, a variance for a 3'-6" setback in order to construct a three-level deck.
 - b) As per Section 1433-17 (d) HS Height of Front, a variance for 1'-2" for the front height.
 - c) As per Section 1433-17 (e) HS Height of Rear, a variance for 8'-6" for the rear height.

Finding that such relief from literal implication of Zoning Code will not be materially detrimental to the public health, safety, and welfare or injurious to property in the district or vicinity where the property is located and

- a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district.
2. Approve a Certificate of Appropriateness for the renovation of this property including the third floor addition and the three level decks on the rear elevation with the following conditions:
- a. Eliminate the row of panel details below the cornice on the front elevation and extend a brick veneer on the front exterior wall to match the lower floors.
 - b. Revise the proposed windows in the new addition along the front elevation to align with the existing windows on the first and second floor framed with a string course.
 - c. Revise the west elevation to use a cement plaster like treatment to match existing conditions.
 - d. Retain the front chimney unless building code issues do not allow its retention.
 - e. Final plans and revisions should be submitted to the Urban Conservation prior to issuing a Certificate of Appropriateness and a building permit.

CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE 78 MULBERRY STREET, OVER-THE-RHINE HISTORIC DISTRICT

Staff member Adrienne Cowden presented a report for a Certificate of Appropriateness and a Zoning Variance to replace an existing stone retaining wall with a new Allan Block, AB Classic unit retaining wall at 78 Mulberry Street in the Over-the-Rhine Historic District. Staff believes that the proposal meets the conservation guidelines, which allow for “specialized masonry block” walls.

The property is in a RMX district and a Hillside Overlay District. The hillside provisions of the Zoning Code limit the height of retaining walls to 8'-0". The new wall is 9'-0" to 10'-0", so it will require a zoning variance. Mr. Senhauser explained that in writing of the Zoning Code, it was a concession for the hillside districts to limit the height of all retaining walls.

The applicant, Mike Valencic of The Model Group, was present to answer questions. In response to Mr. Kreider's question, Mr. Valencic stated that Model Group is presently completing the rehabilitation of 78 Mulberry Street, and the new retaining wall is part of this larger project.

BOARD ACTION

The Board voted unanimously (motion Raser, second Spraul-Schmidt) to take the following actions:

1. Approve a Certificate of Appropriateness for the proposed new retaining wall.
2. Approve the necessary Zoning Variance for the height of the proposed retaining wall finding that such relief from the literal interpretation of the Cincinnati Zoning Code:
 - a. Is necessary and appropriate in the interest of historic conservation as not to adversely affect the historic architectural or aesthetic integrity of the district.

- b. Is necessary to provide the owner a recoverable rate of return on the real property where the denial thereof would amount to a taking of the property of the owner without just compensation.

OTHER BUSINESS

Mr. Senhauser suggested that because of the last two items concerning retaining walls the Board should consider setting standards and pre-approving select masonry products. The Board directed staff to assemble product literature on the various types of Allan Block.

ADJOURN

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser, Chairman

Date: _____